

STAFF REPORT  
September 22, 2005

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**No. 05CA035 - Amendment to the Comprehensive Plan to change the Future Land Use Designation on an approximately .470 acre parcel from Residential to Office Commercial with a Planned Commercial Development Designation**

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**ITEM 39**

GENERAL INFORMATION:

PETITIONER	Thomas L. Collins / Philip Hunter
REQUEST	<b>No. 05CA035 - Amendment to the Comprehensive Plan to change the Future Land Use Designation on an approximately .470 acre parcel from Residential to Office Commercial with a Planned Commercial Development Designation</b>
EXISTING LEGAL DESCRIPTION	The south 237 feet of Lot 5, Harter Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .47 acres
LOCATION	2326 Canyon Lake Drive
EXISTING ZONING	Medium Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Flood Hazard District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/26/2005
REVIEWED BY	Linda Foster / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan to change the Future Land Use Designation on an approximately .470 acre parcel from Residential to Office Commercial with a Planned Commercial Development Designation be denied.

GENERAL COMMENTS: The applicant is proposing to change the Future Land Use Designation on the above legally described property from Residential Land Use Designation to Office Commercial Land Use with a Planned Commercial Development Designation. The subject property is located at 2326 Canyon Lake Drive, or at the northeast corner of the intersection of Canyon Lake Drive and Harter Drive. There are currently two single-family

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structures located on the subject property. The property is currently zoned Medium Density Residential District with a Planned Development Designation. The properties to the west, north and east of the subject property are designated as Medium Density Residential District. The property to the south of the subject property is zoned Flood Hazard District. The applicant has also submitted a request to rezone the property from Medium Density Residential Zoning District to Office Commercial Zoning District (05RZ052).

The subject property was rezoned from Low Density Residential District to Medium Density Residential District (00RZ016) and a Planned Development Designation was approved (00PD027) in 2000.

**STAFF REVIEW:** The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

Staff has reviewed this proposed comprehensive plan amendment for conformance with the six criteria for review of comprehensive plan amendments established in Section 2.60.160(D). A summary of Staff findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

One of the goals of the Future Land Use Plan is to encourage compact and contiguous growth along the City's fringe that is linked to orderly extension and efficient use of public improvements, infrastructure and services. In-fill development and full utilization of properties currently served by infrastructure are encouraged. Re-development of the subject property would be considered in-fill development. However, the request to change the land use designation on the subject property from Residential to Office Commercial with a Planned Commercial Development Designation would create spot zoning which is not consistent with the intent of the Comprehensive Plan.

2. *Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

Staff is unaware of any substantially changed or changing conditions that would justify the proposed change.

3. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land.*

The subject property is currently zoned Medium Density Residential District with a Planned Development Designation. The property located to the north, east and west of the subject

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property is zoned Medium Density Residential District. The property south of the subject property is zoned Flood Hazard District. Amending the subject property to Office Commercial District would create spot zoning in an area of Medium Density Residential zoning which could potentially increase the volume of traffic generated in the area. The neighborhood may also experience increased noise levels.

4. *Whether and the extent to which the proposed amendment would adversely effect the environment, services, facilities, and transportation.*

Harter Drive was constructed with a 13'10" wide paving section which does not meet the minimum standards for a lane/place street. Lane/place streets are intended to provide access to residential properties and accommodate less than 250 vehicles per day. Typical commercial use would exceed those traffic volumes. While a traffic study would need to be provided to identify if expansion would be needed to accommodate office commercial usage, the anticipated volumes of traffic and the patterns of traffic would likely have a negative impact on the surrounding residential uses. Also, a minimum access of 20 feet is required pursuant to the International Fire Code as well as a turnaround. At present, Harter Drive is a dead-end street without sufficient area to turn fire apparatus around.

- 5.) *Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

The subject property is located in an area of residential development. The proposed amendment would create spot zoning which is not conducive to a logical and orderly development pattern.

6. *Whether and the extent to which the proposed amendment adversely affects any other part of the city, or creates any direct or indirect adverse effects.*

The subject property is located adjacent to Medium Density Residential Zoning Districts on the north, east and west. Staff feels the amendment would have a negative affect on the surrounding land uses with the introduction of an office commercial facility in a residential neighborhood.

For the reasons stated above, Staff is recommending denial of this request.